

SENATE BILL 2823  
By Fowler

AN ACT to amend Tennessee Code Annotated, Title 24,  
Chapter 7, relative to evidence.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 7, Part 1, is amended by  
adding the following language as a new, appropriately designated section:

**§ 24-7-\_\_\_\_.**

(a) As used in this section, "medical records" means all written clinical  
information which relates to the treatment of individuals, when such information is  
kept in an institution.

(b) Medical records or reproductions thereof, when duly certified by their  
custodian, physician, physical therapist or chiropractor, need not be identified at  
the trial and may be used in any manner in which records identified at the trial by  
such persons could be used. The records shall be accompanied by a statement  
signed by such person containing the following information:

(1) That such person has authority to certify the records;

(2) That the copy is a true copy of all the records described in the  
subpoena; and

(3) That the records were prepared by the personnel of the  
company acting under the control of the company, in the ordinary course  
of business.

(c) When records or reproductions thereof are used at trial pursuant to  
this section, the party desiring to use such records or reproductions thereof in  
evidence shall serve the opposing party with a copy of such records or

reproductions thereof no later than sixty (60) days before the trial with notice that such records or reproductions thereof may be offered in evidence, notwithstanding any other rules or statutes to the contrary.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.